

DEVIN DERHAM-BURK #104353
CHAPTER 13 STANDING TRUSTEE
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Trustee for Debtor(s)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA - DIVISION 5

In re:

Younger, Clarence

Younger, Sandra

Debtor(s)

)
)
) Chapter 13
) Case No. 11-51280 ASW

)
) TRUSTEE'S OBJECTION TO CONFIRMATION
) WITH CERTIFICATE OF SERVICE

)
) 341 Meeting Date: March 28, 2011
) Pre-Hearing Conference Date: June 20, 2011
) Pre-Hearing Conference Time: 1:45 PM
) Place: 280 S. 1st Street Room 3020
) San Jose, CA
) Judge: Arthur S. Weissbrodt
)

Devin Derham-Burk, Trustee in the above matter, objects to the Confirmation of this 5% Plan for the following reasons:

1. Pursuant to Section 18 of the Statement of Financial Affairs, it appears the debtor is doing business as "Business Frameworks." However, the debtor has omitted said DBA from the Voluntary Petition Page. The Trustee requests the Petition Page be amended and noticed to all creditors.
2. The debtors have not complied with 11 U.S.C § 521(e)(2)(A)(i) and (B) as the debtors have not provided the Trustee with a copy of their most recently filed tax return.

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1 3. The Plan is in violation of 11 U.S.C. § 1325 (a)(4) in that creditors would receive more
2 under Chapter 7 liquidation. There is excess equity in the debtors' personal property in
3 the amount of \$1,272.50, while general unsecured creditors will receive nothing under
4 the proposed 0% plan. In order to ensure the Plan complies with 11 U.S.C. §1325(a), the
5 following must be added to Section 7: "Notwithstanding Section 2(d), general unsecured
6 creditors shall receive no less than \$1,272.50."

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8 Dated: March 25, 2011

/S/ Devin Derham-Burk

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10 Chapter 13 Trustee
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Said envelopes were addressed as follows:

Sagaria Law
333 West San Carlos Street
Suite 1700
San Jose, CA, 95110

Office of Devin Derham-Burk, Trustee